

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 13

GABRIELLE SALMAN, aka ARCH MOD, aka
GABRIELLE SALMAN MODULAR INC., aka
GABRIELLE SALMAN, ARCHITECT,

Case No. 14-22017 (RDD)

Debtor.

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GREG HAVENS,

Plaintiff,

vs.

Adv. No. 14-08219 (SHL)

GABRIELLE SALMAN, aka ARCH MOD, aka
GABRIELLE SALMAN MODULAR INC., aka
GABRIELLE SALMAN, ARCHITECT,

Defendant.

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EXCEL HOMES GROUP, LLC,

Plaintiff,

vs.

Adv. No. 14-08220 (SHL)

GABRIELLE SALMAN, aka ARCH MOD, aka
GABRIELLE SALMAN MODULAR INC., aka
GABRIELLE SALMAN, ARCHITECT,

Defendant.

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RBS CITIZENS, N.A.,

Plaintiff,

vs.

Adv. No. 14-08221 (SHL)

GABRIELLE SALMAN, aka ARCH MOD, aka
GABRIELLE SALMAN MODULAR INC., aka
GABRIELLE SALMAN, ARCHITECT,

Defendant.

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ORDER

WHEREAS, Greg Havens (“Havens”), Excel Homes Group, LLC (“Excel”) and RBS Citizens, N.A. (“RBS,” and together with Havens and Excel, the “Plaintiffs”) commenced the above-captioned adversary proceedings seeking a determination that their claims against the debtor Gabrielle Salman, aka Arch Mod, aka Gabrielle Salman Modular Inc., aka Gabrielle Salman, Architect (the “Defendant”) in the above-captioned bankruptcy proceeding were non-dischargeable pursuant to 11 U.S.C. § 523(a)(4); and

WHEREAS, the Plaintiffs moved for summary judgment in their respective adversary proceedings and, for the reasons set forth in the Court’s Memorandum of Decision, dated November 7, 2016;¹ it is hereby

ORDERED, that the summary judgment motion of Havens in Adversary Proceeding No. 14-08219 is granted; and it is further

ORDERED, that the summary judgment motion of Excel in Adversary Proceeding No. 14-08220 is granted; and it is further

ORDERED, that the summary judgment motion of RBS in Adversary Proceeding No. 14-08221 is denied; and it is further

ORDERED, that pursuant to 11 U.S.C. § 523(a)(4) of the Bankruptcy Code, the Defendant’s debts to Havens and Excel that are the subject of Adversary Proceeding Nos. 14-08219 and 14-08220, respectively, are non-dischargeable.

Dated: New York, New York
December 19, 2016

/s/ Sean H. Lane
UNITED STATES BANKRUPTCY JUDGE

¹ Though in the Memorandum of Decision, dated November 7, 2016, the Court directed the Plaintiffs to settle an order on notice to Defendant’s counsel, the Court has instead chosen to draft and enter its own order.